IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1533 of 2007()

Crime No. 77 of 2007 of Chalissery Police Station

PETITIONER/ACCUSED :

T. GOPINANTHAN, AGEWD 47 YEARS
S/O. SANKUNNI PATHIYAR.
THOZHIKATT HOUSE, CHALISSERY POST,
CHALISSERY

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING STATION HOUSE OFFICER,
CHALISSERY POLICE STATION

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 7-3-2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

Bail Application NO. 1533 of 2007

- - - - - - - - - - - - - - - - - -

DATED: 7th day of March 2007

O R D E R

Petitioner who is the 3rd accused in Crime No. 77 of 2007 of Chalissery Police Station for offences punishable under Sections 286 and 304 (A) read with Sec. 34 I.P.C. and Sec. 3 of the Explosive Substances Act, 1908, seeks his enlargement on bail.

2. He was arrested on 6-3-2007 during the pendency of an application for anticipatory bail filed as B.A. 1469 of 2007 allegedly ignoring the oral direction of this court to the Public Prosecutor concerned not to harass or arrest the petitioner during the pendency of the said application.

3. The petitioner is only the Secretary of Chalissery Mulayamparambath Kavu Bhagavathy Devaswom committee. The occurrence relating to the crime took place on 27-2-2007 when one Sujesh died in an accident during the fireworks in the temple.

4. The petitioner and the other committee members claims to have taken all precautions by providing barricades at a safe distance as directed by the authorities so as to prevent

the said mishap.

5. Considering the nature of the offences and the remoteness of the role attributed to the petitioner, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Pattambi and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

ani.